

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  U S WEST COMMUNICATIONS, INC.	DOCKET NO. TF-99-109
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**ORDER SUSPENDING PARTS OF FILED TARIFF AND ALLOWING  
OTHER PARTS TO GO INTO EFFECT**

(Issued April 23, 1999)

On April 12, 1999, U S West Communications, Inc. (U S West), filed a tariff revision, identified as TF-99-109, to remove message telecommunications service (MTS), operator services (OS), and directory assistance (DA) from its access and local service tariffs. As some of these services are nonbasic communications services pursuant to U S West's price regulation plan, the revised tariff pages could become effective on or after 15 days of filing unless suspended or rejected by the Utilities Board (Board).

The Board is concerned that removal of some of the operator services and directory assistance provisions from the local service and access tariffs may not be consistent with applicable law. Therefore, the Board will suspend removal of the operator services and directory assistance provisions to give U S West and any other interested persons an opportunity to brief the following issues:

1. Do IOWA CODE paragraphs 476.6(1)-(4) prevent the Board from deregulating U S West's directory assistance service? Is the answer concerning deregulation different for directory assistance dialed with a 411 pattern or a 1-XXX-555-1212 pattern?

2. Is directory assistance reached by dialing 411 subject to dialing parity as contemplated in the Board's order in Docket No. WRU-99-8-272, issued on March 12, 1999? In a related matter, is directory assistance reached by dialing 411 contemplated in the Board's order in Docket No. INU-95-3, issued May 20, 1996, finding certain directory assistance services subject to effective competition and other directory assistance services not subject to effective competition? If the answer to either question is "no," should directory assistance reached by dialing 411 be considered to be deregulated and removed from the tariff?

3. What is the basis for removing local operator services from the U S West tariff?

The Board notes that TF-99-109 remains subject to challenge on other grounds, either by other parties or on the Board's own motion. Parties wishing to raise factual or legal issues not included in these three categories must file separate objections to the tariff.

The MTS parts of the tariff, except for those relating to operator service and directory assistance, will be allowed to go into effect on April 27, 1999, which is 15 days after U S West filed TF-99-109. Allowing these parts of the tariff to go into effect does not affect the 90-day period provided in paragraph IV.3 of the U S West price plan for the Board to notify U S West that it finds probable cause that the tariff changes are unlawful.

**IT IS THEREFORE ORDERED:**

1. The operator services and directory assistance parts of the tariff, identified as TF-99-109, filed by U S West Communications, Inc., on April 12, 1999, are suspended to allow briefing of the legal issues listed in the body of this order.

The suspended parts are as follows:

- Iowa Tariff No. 1, Section 1, pages 5, 6, 15.1, 16, 18, 20, 21, and 22.

- Iowa Tariff No. 1, Section 5, index pages 1 and 2.
- Iowa Tariff No. 1, Section 5, pages 30, 118, and 121.
- Iowa Tariff No. 1, Section 17, index page 1.
- Iowa Tariff No. 4, all proposed pages.

2. U S West, the Consumer Advocate Division of the Department of Justice, and any intervenors may file initial briefs on or before May 18, 1999,

3. All parties filing initial briefs may file reply briefs on or before June 1, 1999.

4. The MTS parts of TF-99-109, except for those relating to operator services and directory assistance, shall be effective on April 27, 1999. The parts allowed to become effective are as follows:

- Iowa Tariff No. 1, Section 1, pages 17, 19 and 23.
- Iowa Tariff No. 1, Section 5, page 32.

5. U S West also must refile the following index page with the following changes, which will be allowed to go into effect upon filing:

- Iowa Tariff No. 1, Section 6, index page 1—remove the canceling of pages 17, 18, 18.1, and 21 and put these back into a table of contents.

#### **UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Emmit J. George, Jr.

ATTEST:

/s/ Sharon Mayer  
Executive Secretary, Assistant to

/s/ Paula S. Dierenfeld

Dated at Des Moines, Iowa, this 23<sup>rd</sup> day of April, 1999.